

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: Search Warrant Dated
November 5, 2021

Case No.: 21 Misc. 813 (AT)

In re Search Warrant Dated
November 3, 2021

Case No.: 21 Misc. 819 (AT)

In re Search Warrant Dated
November 3, 2021

Case No.: 21 Misc. 825 (AT)

**PETITIONERS' MEMORANDUM IN
SUPPORT OF THE MOTION FOR LEAVE
TO FILE UNDER SEAL**

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**PETITIONER'S MEMORANDUM IN SUPPORT OF THE MOTION
FOR LEAVE TO FILE UNDER SEAL**

On behalf of all Petitioners, Petitioner Project Veritas, pursuant to Rule IV(A) of the Court's Individual Practice Rules, has moved for leave to file under seal Petitioners' Non-Public Reply in Support of Objections to the Special Master's Report and Recommendation. At issue are approximately 1,000 documents seized from Petitioners via three search warrants. This Court

implemented a protocol whereby the Government's filter team proposed disclosure of certain documents to the Government's investigative team, and a Special Master was to rule on Petitioners' objections to relevance and privilege. The Special Master reviewed arguments of counsel, including certain sealed submissions, and reviewed the documents *in camera*. She has now issued her Report and Recommendations (the "Report"). The Report is public, but details and spreadsheets regarding specific documents were redacted and unredacted versions were made available to Petitioners. The seized documents at issue, of course, have not been disclosed while Petitioners' privilege objections are under review.

Petitioners now seek to file their Reply in Support of Non-Public Objections which includes details of their objections to specific documents addressed by the Report and the accompanying confidential spreadsheets. The Non-Public Reply quotes and discusses the contents of specific documents in support of Petitioners' arguments that the First Amendment, the Journalistic Privilege, and the Attorney-Client Privilege should preclude disclosure of the documents. Filing under seal is necessary to avoid public disclosure, which would destroy the very privileges at issue.

The relief Petitioners seek is narrowly tailored. Petitioners have contemporaneously filed the Public Portion of their Reply, which fully sets forth Petitioners' legal argument while also discussing the documents with sufficient generality to serve the public interest in understanding the dispute, while avoiding a waiver of the very privileges and constitutional protections these Objections seek to vindicate.

In accordance with this Court's Rule, therefore, Petitioners respectfully seek leave to submit Petitioners' Non-Public Reply in Support of Petitioners' Objections to the Special Master's Report and Recommendation under seal.

Dated: June 23, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

This certifies that the foregoing was served via the Court's Electronic Case Filing System on the date of filing, June 23, 2023, to all counsel of record.

s/ Edward D. Greim
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